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REMARKS

The present response is filed with a request for a one month extension to reply under 37 CFR 1.136(a).

The present application contains 32 claims of which claims 1, 29 and 32 are independent claims. Claims 1-32 stand rejected. In the present amendment claim 31 is amended and claim 32 cancelled.

Claim 31 is objected to under 35 U.S.C. 132 because it introduces new matter. The claim is amended so that the device is not defined as a credit card but rather as being comprised in a credit card. The amendment removes the Examiner's new matter objection.

In the Examiner's response to arguments filed by the applicant on January 6, 2003 the Examiner submits that claim 1 is either anticipated by McCurry, R.E., "Three Dimensional Displays Utilizing multiple Source Moire Patterns" or obvious in view of McCurry in combination with other art. "If the term is used for the resultant image with a portion of the image formed on the first surface and a portion on the second surface, then McCurry anticipates claim 1. If the term is used as two nearly identical images with the first image on the first surface and a second image on the second surface then, see ("the other art") McGarvey's ...: Oster,...;or Drinkwater et al.'s.....". (Parenthetical remark added). Applicant respectfully traverses the Examiners argument.

The preamble of claim 1 introduces the word "image" as a displayed image and *also as antecedent* for "*the image*" (line 2 of the claim) on the first surface and "*the image*" (line 5 of the claim) on the second surface. In claim 1 therefore the term "image" is used for two nearly identical images on the first and second surfaces respectfully *and in addition* for the resultant image. The use of the term "image" for all three images, *i.e.* the images on the first and second surfaces and the resultant image is amply supported by the text and the figures, for example see Figs. 1-3.

With respect to anticipation, since, as the Examiner notes, McCurry does not teach nearly identical images on the first and second surfaces McCurry cannot be considered to anticipate the first claim.

With respect to obviousness, whereas the other art, *i.e.* McGarvey, Oster or Drinkwater, show nearly identical images on the first and second surfaces, none of these

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other art references show that the final resultant image is also substantially identical to the images on the first and second surfaces. Therefore, the other art cannot be combined with McCurry to provide the invention claimed in claim 1.

In view of the above comments applicants submit that claim 1 is neither anticipated by McCurry nor obvious in view of McCurry and prior art cited by the Examiner and that the claim is patentable.

It is noted that the provision of images on the first and second surfaces that are substantially the same as that of the resultant image is advantageous and counter intuitive. The image on the second surface is located on a plane that is displaced from the location of the virtual Moire' "depth" image generated by the image on the first plane in combination with the view grid on the second plane. Whereas, one might therefore expect the image on the second plane to interfere with the Moire' depth illusion the inventor has found that the image on the second plane does not substantially disrupt the illusion. On the other hand the image on the second plane provides the resultant image with relatively greater color intensity than is generally possible with prior art Moire' images, which inherently block out a large portion of the light coming from the image on the first plane.

Independent claim 29 is patentable for the same reasons that claim 1 is patentable. The dependent claims in the claim set are patentable at least as a result of their dependence on claims 1 or 29. Applicant therefore submits that all the claims in the amended claim set are patentable. A notice of allowance is respectfully requested.

Respectfully submitted,
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